



AN ORDINANCE
 FOR UNITING
 SCOTLAND
 INTO ONE COMMONWEALTH
 WITH
 ENGLAND:

HIS Highness The LORD PRO-
 TECTOR of the Commonwealth of
England, Scotland, and Ireland, &c. Ta-
 king into consideration, How much it might conduce to
 the Glorie of GOD, and the Peace and Welfare of the People in
 this whole Island; That after all those late unhappie Warres and
 Differences, the People of *Scotland* should bee united with the Peo-
 ple of *England*, into one Commonwealth, and under one Govern-
 ment: And finding that in *December*, one thousand, six hundreth,
 fiftie and one (the Parliament then sitting) did send Commissioners
 into *Scotland*; to invite the People of that Nation, unto such an hap-
 pie Union; who proceeded so farre therein, That the Shyres and
 Burroughs of *Scotland*, by their Deputies convened at *Dalkeith*, and
 again at *Edenburgh*, did accept of the said Union, and assent there-
 unto.

unto. For the compleating and perfecting of which Union, Bee it Ordained, And it is Ordained by His Highness the *Lord Protector* of the Commonwealth of *England*, *Scotland*, and *Ireland*, and the Dominions thereunto belonging, by and with the advice and consent of his Councill; That all the People of *Scotland*, and of the Isles of *Orkney* and *Zethland*, and of all the Dominions and Territories belonging unto *Scotland*, are and shall bee, and are hereby Incorporated into, Constituted, Established, Declared, & confirmed One Commonwealth with *England*: And in everie Parliament to bee held Successivelie for the said Commonwealth, thirtie persons shall bee called from, and serve for *Scotland*.

And, For the more effectuall preservation of this Union, and the Freedom, and safetie of the People of this Commonwealth so united; Bee it Ordained, And it is Ordained by the Authoritie aforesaid, That all the People of *Scotland*, and of the Isles of *Orkney* and *Zethland*, and of all the Dominions and Territories belonging unto *Scotland*, of what decree or Condition soever, bee discharged of all Fealtie, Homage, Service and Allegiance, which is or shall bee pretended Due unto anie of the Issue and Posteritie of *Charls Stuart*, late King of *England* and *Scotland*, or anie Claiming under him: And, that *Charls Stuart*, eldest Son, and *James*, called Duke of *York*, second Son, and all other the Issue and Posteritie of the said late King, and all and everie person and persons, pretending Title, from, by, or under him, are and bee disabled to hold or enjoy the Crown of *Scotland*, and other the Dominions thereunto belonging, or anie of them, or to have the Name, Title, Stile, or Dignitie of King, or Queen of *Scotland*, or to have and enjoy the Power and Dominion of the said Kingdom and Dominions, or anie of them, or the Honors, Mannors, Lands, Tenements, Possessions, and Hereditaments belonging or appertaining to the said Crown of *Scotland*, or other the Dominions aforesaid, or to anie of them, anie Law, Statute, Usage, Ordinance or Custome in *Scotland*, to the contrarie hereof in any wise notwithstanding.

And, It is further Ordained, by the Authoritie aforesaid, That the said Office, Stile, Dignitie, Power and Authoritie of the king of *Scotland*, and all Right of the Three Estates of *Scotland*, to convocate or Assemble in anie Generall Convocation or Parliament, and
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all Conventionall and Parliamentarie Authoritie in *Scotland*, as formerlie established, and all Lawes, Usages, and Customes, Ordaining, Constituting, or Confirming the same, shall bee, and are hereby; and, from henceforth, abolished, and utterlie taken away, and made null and void.

And that this Union may take its more full effect & Intent, be it further Ordained by the Authority aforesaid; that the Arms of *Scotland*; To wit, a Cross, commonlie called, *Saint Andrews Cross*, bee receaved into, and born henceforth in the Arms of this Commonwealth, as a Badge of this Union: And, that all the Publique Seals, Seals of Office, and Seals of Bodies, Civill or Corporate, in *Scotland*, which heretofore carried the Arms of the Kings of *Scotland*, shall from henceforth in stead thereof, carrie the Arms of this Commonwealth.

And, Bee it further Ordained, by the Authoritie aforesaid; That all Customes, Excise, and other Imposts, for Goods transported from *England* to *Scotland*, and from *Scotland* to *England*, by Sea or Land, are and shall bee so farre taken off, and discharged, as that all Goods, for the future shall pass as free, and with the lyke Priviledges, and with the lyke Charges and Burdens, from *England* to *Scotland*, and from *Scotland* to *England*; as goods passing from port to port, or place to place in *England*; and that all Goods shall and may pass between *Scotland*, and anie other part of this Commonwealth, or the Dominions thereof, with the lyke Priviledges, Freedome, Charges and Burdens, as such Goods do, or shall pass, between *England*; and the said parts and Dominions, anie Law, Statute, Usage, or Custome, to the contrarie thereof, in anie wyse, notwithstanding. And that all Goods prohibited by anie Law now in force in *England*, to bee transported out of *England*, to anie Foreign parts, or imported, shall bee, and hereby are prohibited to bee transported or imported, by the same Law; and upon the same penalties, out of *Scotland*, to anie Foreign parts aforesaid; or from anie Foreign parts into *Scotland*.

And, bee it further Ordained, by the Authoritie aforesaid, That all Cesses, publique Impositions and Taxations whatsoever, bee imposed, taxed, and levied from henceforth proportionablie from the whole People of this Commonwealth so united.

And, Further to the end, that all Dominion of Tenures and Superiorities importing Servitude & Vassallage may lykewyse be abolished in *Scotland*; Bee it further Declared and Ordained, by the Authoritie aforesaid; Thar all Heritors, Proprietors, and Possessors of Lands in *Scotland*; or the Dominions thereunto belonging, and their Heirs, shall from and after the twelfth day of *Aprill* in the year of our L O R D, one thousand, six hundred, fiftie and four, hold their Respective Lands of the Respective Lord & Lords by Deed, Charter, Patent or Enfeoffment, to bee renewed upon the death of everie Heritor, Proprietor, Possessor (as now they do) to his Heir or Heirs, by & under such yearly Rents, Boons, & Annuall Services, as are mentioned or due by anie Deeds, Patents, Charters or Enfeoffments now in being, of the Respective Lands therein expressed, or by vertue thereof enjoyed without rendring, doing or performing anie other Duetie, Service, Vassalage or Demand whatsoever, by reason or occasion of the said Lands, or anie the Clauses, or Covenants, in the said Deeds, Charters, Patents, or Enfeoffments contained; saving what is hereafter, herein and hereby particularlie expressed and declared: That is to say, Heriots where the same are due, Fines (certain where the same is already certain; and where the Fine is uncertain, reasonable Fines) upon the death of the Lord, and upon the death or alienation of the Tenant, or anie of them, where the same have usuallie been paid, which said Fine (not being already certain) shall not at any tyme exceed one years value of the Lands; and also doing sute and service to such Court and Courts Baron, as shall bee constituted in *Scotland*, in such manner as is Ordained by one other Ordinance, Entituled, *An Ordinance for Erecting Courts Baron in Scotland*.

And, Bee it Ordained, by the Authoritie aforesayd: That all and everie the Heritors, Proprietors, and Possessors aforesayd, and their Heirs, are and shall bee from henceforth forever discharged of all Fealtie, Homage, Vassalage, and Servitude, which is, or shall bee pretended due from them, or anie of them, unto anie their Lords or Superiors whatsoever, claiming Dominion or Jurisdiction over them, by vertue of the sayd Patents, Charters, Deeds or Enfeoffments, and other Rights thereof, or of anie Clauses or Conditions therein contayned, other than as is before Declared and Ordained.
And, That

And, That all the sayd Superiorities, Lordships and Jurisdictions (other than as aforesayd) shall bee, and are hereby abolished, taken off, and discharged: And that all and everie the sayd Deeds, Patents, Charters, and Enfeoffments in that behalf, bee, and are hereby Declared, and made so farre void and null: And, particularlie; That all and everie the Heritors, and others the Persons aforesayd, and their Heirs, are and shall bee for ever hereafter freed and discharged of, and from all Sutes, and appearing at, or in anie their Lords or Superiors Courts, of Justitiarie, Regalitie, Stuartrie, Barorie, Bayliarie, Heritable Sherifship, Heritable Admiraltie; all which, together with all other Offices Heritable, or for lyfe, are hereby abolished, and taken away: And, that all and everie the Heritors and Persons aforesayd, and their Heirs, are and shall bee for ever hereafter freed and discharged, of, and from all Militarie service, and personall attendance upon anie their Lords or Superiors in Expeditions or Travels, and of all Casualties, of Wards Lands formerly held of the King, or other Superiors, and of the Marriage, single and double availl thereof, Non-Entries, Compositions for Entries, and of all Rights and Casualties payable, if they bee demanded, onlie or upon the committing of anie Clauses irritant. And, That the sayd Heritors and persons aforesayd, bee now, and from henceforth construed, reputed, adjudged, and declared free and acquitted thereof; and of and from all and all manner of holding Suites, Duties, Services Personall or Reall, and Demands whatsoever, (other than is before Declared and Ordained) notwithstanding the present Tenor of any their Deeds, Patents, Enfeoffments; or any Clauses, Articles, or Covenants therein contayned or mentioned to the contrarie in anie wyse: And, That in tyme to come all and everie Clause, Covenant, Article, Condition, or thing to the contrarie hereof, shall bee omitted out of all such Deeds, Patents, Charters, and Enfeoffments.

And be it further ordained, That al Forfeitures, Escheats, simple, or of lyf, Rent, Bastardy, & last Heir, which heretofore escheated, forfeited, & fel to the king, lords of regality, or other superiors, shal frō henceforth fall, escheat & forfeit to the *Lord Protector* of the Cmmōwealth for the tyme being.

Wednesday, Aprill 12. 1654

Ordred by His Highness the Lord Protector, & His Councill, that this Ordinance bee forthwith Printed and Published.

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Henry Scobell, Clerk of the Councill.

AN ORDINANCE

For settling of the ESTATES of severall
Excepted Persons in SCOTLAND

In TRUSTEES, To the Uses herein expressed.

W Hereas by an Ordinance, Entituled, *An Ordinance of Pardon and Grace, To the People of SCOTLAND*, diverse Persons, and their Estates, are excepted and reserved out of the sayd Ordinance, and all Benefit thereof; And yet nevertheless the Estates of the sayd severall Persons are thereby left subject to diverse Debts, Charges and Incumbrances; and lykewyse severall proportions of Lands, Tenements and Hereditaments are by the sayd Ordinance appointed to bee settled, for a Provision of the Wives and Children of diverse of the sayd Persons in such sort, and under such Limitations, Provisions and Conditions as are expressed and contained in the sayd Ordinance. And, Whereas also the Parliament hath by severall Votes and Orders given unto severall Persons, for Services done to this Commonwealth, diverse Lands, Tenements and Hereditaments out of the sayd Confiscated Lands in Scotland. For the more due & speedie payment and satisfaction of the sayd Debts, Charges, and Incumbrances, and settling the premisses, so appoynted by the sayd Ordinance, for the Provision of the sayd Wives and Children. And, For the better confirmation and assurance of the premisses so given by the Parliament unto the sayd respective Persons; Bee it Ordained by His Highness the *Lord Protector*, by and with the advice & consent of his Council: And it is Ordained by the Authority aforesaid, That al and everie the Honors, Mannors, Castles, Houses, Messuages, Forrests, Chases, Parks, Lands, Tenements & Hereditaments in Scotland, which upon the eighteenth of *Aprill*, one thousand, six hundred, fourtie and eight; or at anie tyme since, did belong unto *James* late Duke of *Hamilton*, *William* late Duke of *Hamilton*, *John* Earl of *Crawford-Lindsey*, *James* Earl of *Calender*,

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der, Earl *Marshall*, Earl of *Kelley*,
John Earl of *Lowderdaill*, *John* Earl of *Lowdown*,
 Earl of *Seaforth*, Earl of *Atholl*, Viscount
Kenmure, Lord *Loyn*, Eldest Son of the Marquess
 of *Argyle*, Lord *Machlin*, Eldest Son of the Earl of
Lowdown, Lord *Montgomerie*, Eldest Son of the Earl
 of *Eglintown*, George Lord *Spynie*, Lord *Cranston*,
 Lord *Sinclair*, Thomas *Dalyell*, late Major Generall of the
 Foot in the *Scotish* Armie, *John Middleton*, late Lieutennant Gene-
 rall of the Horse in the *Scotish* Armie; *James*, Viscount *Newburgh*,
 Lord *Barganie*, Sir Thomas *Thompson*, *James Edmeston*,
 Laird of *Womat*, Lord *Napier*, and William Earl of
Glencairn, and all Royalties, Priviledges, Franchises, Immunities,
 Rents and appurtenances, to the sayd Honors, Mannors, Castles,
 Houses, Messuages, Forrests, Chases, Parks & Lands, or any of them
 in *Scotland*, belonging or appertayning, or which on the said eigh-
 teenth day of *Aprill*, one thousand, six hundreth, fourtie and eight,
 or at anie tyme since were lawfullie used, or enjoyed with them, or
 anie of them, as part or parcell thereof; bee, and are hereby vested
 and settled, and adjudged and deemed to bee; And are hereby in
 the Reall & Actuell Possession and Seizin of Sir *John Hope* of *Craig-*
hall, William *Lockard*, the younger, Esquire; *Richard Saltonstall*, and
Edward Siler, Commissioner at *Leith*, Lieutenent Colonell *Wilks*,
 Deputie Governour of *Leith*, *David Barkley* Esquire; *John Harper*,
 Advocate, and the Survivors and Survivor of them, their Heirs and
 Assigns, for the uses and Purposes, hereafter in, and by this Ordinance
 expresse, untill the Sale, Disposition, & Conveyance there-
 of; or of such part thereof, as shall bee requisite for the purposes
 aforesayd, shall bee made in such manner, as is herein directed, and
 the Remaynder to the use of His Highness the Lord *Protector*, and
 His Successors, for the Benefit of the Commonwealth.

And, Bee it further Ordained, by the Authoritie aforesayd,
 That the sayd Sir *John Hope*, and the rest of the Trustees before na-
 med, the Survivors and Survivor of them, shall cause a due and ex-
 act Survey, to bee taken and returned unto them, of all and everie
 the Estates of the Persons aforesayd, at the tyme aforesayd; and of
 the yearlie value thereof respectivelie, as they were worth to bee

let in the year, one thousand, six hundreth, fourtie and nyne; And, also return to bee made unto them of all and everie the Claims of anie Estate, Right Title, or Interest, of anie other Person and Persons, in or to anie the Premisses, and of all Debts, Charges, and Incumbrance, charged, or chargeable upon the same; or anie part thereof respectivelie; and which shall bee allowed by the Commissioners named in the sayd Ordinance of Pardon and Grace to the People of *Scotland*, for determining Claims according to the Qualifications and Provisions contayned in the sayd Ordinance; And thereupon in the first place, in case the respective Lands of such Person excepted, bee sufficient to satisfie all Debts, Charges, and Incumbrances so allowed, as aforesayd: And, also, The Provision made by the sayd Ordinance for the Wyf, Child, or Children of such Person; That then the sayd Sir *John Hope*, and the rest of the Trustees before-named, or anie four of them, shall alot, and set out unto everie of the Creditors of such Person so much of the said Lands; belonging unto such excepted Person, at the rate of twentie years purchase at the least, as shall bee sufficient to satisfie such Debt, Charge, and Incumbrance; and to convey the Inheritance of the sayd Land, so set out unto such Creditor and Creditors, and his, her and their Heirs respectivelie, in satisfaction of the sayd Debt, Charge, or Incumbrance; and thereupon to take up the securitie; and that such Creditor and Creditors, his and their Heirs, and Assigns, shall from henceforth have, hold and enjoy all and everie the Lands, and Premisses so set out and conveyed, according to such conveyance freed and discharged, in manner as is herein provided, of and from all and all manner of Bargains, Sales, Gifts, Grants, Mortgages, Iudgements, Decrees, Ioyntures, Dowers, or other Incumbrances had, made, committed, or done by such Person so excepted respectivelie, or anie claiming unto him, since the eighteenth day of *Aprill*, one thousand, six hundreth, fourtie and eight. And, That the sayd Trustees shall convey and assure unto the Wyfe, Child, or Children, of such excepted Person respectivelie, Lands, Tenements, or Hereditaments of the clear yearlie value appoynted unto such Wyf, Child or Children by the sayd Ordinance respectivelie, under such yearlie Rent and Rents; and in such manner, as is in & by the said Ordinance limited & appointed.

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And, It is further Ordayned, That the sayd Trustees herein named, or anie four of them, shall convey and assure unto the respective Persons, to whom the late Parliament hath by Vote or Order of Parliament given anie Lands in *Scotland*, and to their Heirs and Assigns, the Lands, Tenements & Hereditaments, which have been already allotted and set out unto them upon Survey by the Commissioners for Sequestrations in *Scotland*, out of the Estates of anie the Persons so excepted as aforesayd, in pursuance of such Vote or Order; and which have been by them, or their Tenants, or Assigns, possessed and enjoyed, according to such survey, and allotment, in performance of the sayd respective Votes and Orders under the Rents, Conditions, and Limitations in such Vote; or Order expressed (if anie bee) to bee by them enjoyed accordinglie.

Provyded alwayes, That in case the Lands, Tenements and Hereditaments of such excepted person be not sufficient to satisfie the respective Debts, Charges & Incumbrances of such respective person; & also to make up the full Provision aforesayd, for Wyf, Child or Children; That then the sayd Trustees, or anie four of them, bee impowered & authorized, and are hereby impowered and authorized to distribute all and everie the Lands, Tenements, and Hereditaments of everie such excepted Person amongst the sayd Creditors, and the Wyf, Child, or Children of such Person; so farre as the same shall extend proportionablly, everie of them bearing a proportionable abatement of what the Premisses shall fall short to satisfie; and to convey and Assure the same so proportioned accordingly.

Provyded also, That in case anie of the sayd Persons unto whom the Parliament hath given Lands in *Scotland*, bee already settled by the sayd Commissioners in anie of the Lands, or Estate, of such excepted Person; whose Lands shall not bee sufficient to satisfie his Debts; and make provision for his Wyf and Children, as aforesayd; that yet nevertheless the sayd Commissioners shal convey & Assure unto such Person and Persons, and his and their Heirs, the Lands so allotted, and set out, unto him as aforesayd, and in lieu thereof, shall allot, and set forth Lands of the same value, or to such value as the Lands of such excepted Person, shall fall short, as aforesayd; so as the same exceed not the full value of the Premisses so allotted

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and set out by the sayd Commissioners, for Sequestrations unto such Person, out of the Lands and Estate of some other of the Persons excepted in the sayd Ordinance; of whose Estate there shall bee a Remaynder after the Debts, Charges, and Incumbrances satisfied, and Provision made for his Wyf and Children, as aforesayd; and shall convey the same unto the Creditors, in such sort as is before Directed, and Ordayned.

Provyded also; **T H A T** If the sayd Commissioners for Sequestrations, have allotted, and set out, unto anie of the sayd Persons, to whom the Parliament gave Lands, as aforesayd, anie Lands, Tenements, or Hereditaments, of anie person or persons, not excepted by the sayd Ordinance from Pardon; That then the sayd Trustees, or anie four of them, bee impowered and authorized to set out, convey, and assure unto such person and persons, and his and their Heirs, out of the Estate and Estates of one or more of the sayd excepted Persons, which shall remayn after the Debts, Charges, and Incumbrances; charged, or chargeable, upon such Estate, and such Provision for the Wyf, Child, or Children, of such excepted Person, so satisfied, and made, as aforesayd, in lieu of the Lands so set out, and allotted, by the sayd Commissioners, for Sequestrations, unto such person and persons, as aforesayd. And, For the defraying of the incident charges, in and about settling the premises; Bee it Ordayned, by the Authoritie aforesayd; That all and everie person & persons, who shall bring unto the Commissioners herein named, anie Claim of anie Estate, Title, Interest, Debt, Charge, or Incumbrance to, out of, or upon anie the premises hereby vested in the sayd Commissioners, and a Certificate of the allowance thereof, under the hands of the Commissioners, for allowing Claims, shall, before anie allotment or conveyance shall bee made unto him, her or them, by force of this Ordinance, pay in readie money unto such person or persons as the Commissioners herein named, shall appoynt for the purpose, three pence in the pound Sterling; according to the value of such Estate, Title, Interest, Debt, Charge, or Incumbrance, so claimed and allowed. And, In case the summe so payd in at the rate aforesayd, shall not bee sufficient to defray the whole charge which shall aryse by the surveying, allotting, and settling of the Estate of such excepted person in,

person, in manner as aforesayd, That then it shal bee lawfull to and for the sayd Commissioners herein named, or anie four of them; to demand and receave of each of the sayd persons so declaiming, such further summe and summes of money, as his proportionable part of the sayd Charge shall amount unto, which the sayd respective Claimers are hereby requyred to pay unto such Person and Persons so appointed by the Commissioners aforesayd. All, And everie which summe and summes of money so payd in shall bee issued and payd out by Warrant of the sayd Commissioners, or anie four of them, for satisfying and defraying the sayd Charges, as they shall think fit. And, The sayd Commissioners herein named, are hereby authorized, and impowred, to appoynt Surveyors, if they shall fynd it necessarie: and also Clerks, and other necessarie Officers, for this Service, & to administer an Oath unto such Surveyors as they shall fynd necessarie to imploy, For the Faythfull Discharge of their ducie herein; And also, To allow such fitting Salaries, as they shall think fit.

Provyded, That this shall not extend to chatge anie Wyf, Child, or Children, of the sayd excepted Persons; nor anie Person, to whom anie Lands have been given by the Parliament; with the payment of anie summe or summes of money towards the sayd Charge.

Wednesday, April 12. 1654.

Ordred by His Highness the LORD PROTECTOR, and the COUNCILL, That this Ordinance bee forthwith Printed and published.

Henry Scobell, Clerk of the Council.

AN ORDINANCE Of PARDON and GRACE, to the People of SCOTLAND.

His Highness the Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereunto belonging, being

ging; being desyrous, That the Mercies which it hath pleased GOD to give this Nation, by the Successes of their Forces in the late Warre in *Scotland*, should bee improved, for the good and advantage of both Nations; and the People of *Scotland* made equall sharers with those of *England*, in the present settlement of Peace, Libertie, and Propertie, with all other Priviledges of a Free People, Doth Ordayn and Declare; And bee it Ordayned and Declared, By His Highness, The LORD PROTECTOR, with the consent of His COUNCILL; That all persons of the *Scottish* Nation, of what Degree or Qualitie soever they, or anie of them, are (except the persons hereafter in this Ordinance particularlie excepted) shall bee, and are hereby, and from and after the first day of *May*, in the year, one thousand, six hundreth, fittie four, Freed, Acquitted, and Discharged, From all Forfeitures, Pains, Penalties, Mulcts, Corporall, or Pecuniarie, Reltraints, Imprisonment, or Imprisonments; Punishment, or Punishments whatsoever, (other then is hereafter in this Ordinance expressed) For anie Matter or thing by them; or anie of them committed, or done, by the Sea or Land, in relation to the late Warre, or anie preceeding Warres between the two Nations: And, That for the Matters aforesayd, There shall bee from and after the sayd first day of *May* aforesayd, no Sequestration, Confiscation, Fine, Penaltie, Forfeiture, or Punishment, imposed, or continued upon them, or anie of them, (otherwyse than as is hereafter in this Ordinance expressed) But the same shall bee put in perpetuall Oblivion.

And, also; That the Estates Reall and personall of all persons of the *Scottish* Nation (except as is hereafter in this Ordinance excepted and provyded) shall bee, and are hereby and from thenceforth, Freed, Discharged, and Acquitted, From all Sequestrations, Confiscations, Fines, Penalties, and Forfeitures whatsoever, For anie Matter or Thing by them, or anie of them committed or done, in relation to the aforesayd Warres between the two Nations.

Except and alwayes reserved out of this present Ordinance, and all Benefit thereof, *Henrietta Maria*, the Relict and late Queen of the late King *Charls* Deceased; *Charls Stuart*, their eldest Son; *James Stuart*, their second Son; And all the Honors, Mannors, Castles, Houses, Messuages, Forrests, Chases, Parks, and Lands;
And all

Viscount *Kenmure*;
the Marquess of *Argyle*;
Son of the Earl of *Lowdown*;

Eldest Son of the Earl of Argyll, George, Lord Spynie;
 Lord Cranston; Lord Sinclair; Thomas Dalryell, late Major General of the Foot in the Scottish Armie;
 John Middleton, late Lieutenant General of the Horse in the Scottish Armie; James Viscount Newburgh; Lord Barganie; Sir Thomas Thompson; James Edmeston, Laird of Womat;
 Lord Napier; William, Earl of Glencairn; And all the Honors, Mannors, Castles, Houses, Messuages, Forrests, Chases, Parks, and Lands; and all Tenements and Hereditaments; Royalties, Privileges, Franchises, Immunities, Rents, & Appurtenances to them, or anie of them, belonging, or appertayning, or on the eighteenth day of *Aprill*, in the year of our LORD, One thousand, six hundreth, fourtie eight; Lawfullie used or enjoyed, with them, or anie of them, as part or parcell thereof. And, also; All the Goods, Chattels; and all the Estates, both Reall and Personall, belonging unto the sayd James, late Duke of Hamilton; William, late Duke of Hamilton; John, Earl of Crawford-Lindsey; James, Earl of Caledon;
 Earl Marshall; Earl of Kelley; John Earl of Lawdordale; John, Earl of Lowdown; Earl of Seaforth;
 Earl of Athole; Viscount Kenmore;
 Lord Lorne; Lord Machlin;
 Lord Montgomerie; George, Lord Spynie; Lord Cranston; Lord Sinclair; Thomas Dalryell; John Middleton; James, Viscount Newburgh;
 Lord Barganie; Sir Thomas Thompson; James Edmeston; Lord Napier; William, Earl of Glencairn; Or anie of them, and which were in the Actuell Seizin, or Possession of them, or anie of them, or of their, or either of their Tenants, Agents, Servants, Trustees, Officers, or Ministers, in their Right, and for their Use; or in trust for them, or anie of them, on the eighteenth day of *Aprill*, in the year of our LORD, One thousand, six hundreth, fourtie eight; Or at anie tyme since; Or for which they, or anie of them, have of Right been answered the Profits, or might or ought to have received the same, at the tyme aforesayd, or at anie tyme since; And all Reversions, or Remainders of anie Estate or Estates, to them, or anie of them belonging, or appertayning; And that Free from all and all manner of Estates, Titles, Interests, Debts, Charges, and Incumb

Incumbrances whatsoever; where with the sayd Lands and Premises, or anie of them, stand, or stood, charged, or Chargeable, with; or are pretended to stand charged, or chargeable with, by Force of anie Act or Acts, Deed, Grant; or other thing done by anie of the Persons before named, at anie tyme since the sayd eighteenth day of *Aprill*, One thousand, six hundreth, fourtie & eight; and not before. And, also; Excepted out of this present Ordinance, and all Benefit thereof, and all the Estate, Right, Interest, Claim, and Demand, of *James Lord Mordington*, of, in, or to, the Maudlain Field, Sunck, Cony-Garth, Constables-Batt, Two Water-Mills, and a Wind-Mill, lying within *Barwick*-bounds. And, also, Excepted out of this present Ordinance, and all Benefit thereof; all and all manner of Estates, Titles, Interests, Debts, Charges, and Incumbrances whatsoever, claimed out of anie the Estate, or Estates, of anie of the Persons excepted, as aforesayd, or of anie other Person or Persons, as Sureties for them, or anie of them, by, for, or in Right, and to the Use of anie Person or persons whatsoever; Who sitting as a Member or Members of the late Parliament of *Scotland*, in the year, One thousand, six hundreth, fourtie and eight; Did not protest in the great Protestation made in the said Parliament, against the Proceedings of the sayd Parliament, by which the Armie was raysed under *James*, Duke *Hamilton*; or that Invaded *England*, with the sayd *James*, Duke *Hamilton*, in the sayd year; or that sate in the late Parliament; or Committee of Estates of *Scotland*; from and after the Coronation of *Charls Stuart*, in the year, One thousand, six hundreth, fiftie & one; Or that since the Battle of *Dumbar*, upon the third day of *September*, One thousand, six hundreth, and fiftie; served in Arms in *Scotland*, under the sayd *Charls Stuart*, or anie Commissionated by him, or his Authoritie, or that Invaded *England*, with the sayd *Charls Stuart*, or anie of his Forces, in the sayd year, One thousand, six hundreth, fiftie and one: Which sayd Estates, Titles, Interests, Debts, Charges, and Incumbrances, are by Authoritie aforesayd, Released, and Discharged; (Such onlie excepted, Who have deserted the sayd *Charls Stuart*; and not born Arms agaynst the Parliament, since the sayd third day of *September*, One thousand, six hundreth, and fiftie; As also, Such whose Merits and

Services to this Common-wealth, have rendred them capable of being taken into a more Favourable consideration by his Highnesse.)

Provyded alwayes: And bee it Ordayned, That all and everie Person and Persons whatsoever, clayming anie Estate, Title, Interest, Debts, Charge, or Incumbrance, out of anie the Estate or Estates, excepted as aforesayd; do & shall within threescore dayes after Publique Proclamatiō made of this Ordinance, in the Countie where the Persons making such Claim doth live, enter his and their Respective Claims, with *John Swinton*, of *Swinton*, Esquire; *William Lawrence*, Esquire; *George Smith*, Esquire; *Sir James Mac-Dowell* of *Garthland*, *Samuell Disbrow*, *John Thompson* Esquire; Or anie three of them, and make the Trueth and Realitie of them sufficientlie appeare unto the sayd *John Swinton*, *William Lawrence*, *George Smith*, *Sir James Mac-Dowell*, *Samuell Disbrow*, and *John Thompson*; Or anie three of them, within Four Months after such Entrie made, and obtayn from them, or anie three of them, a Certificate of their Allowance of such Claim and Claims; And that in Default thereof, The sayd Estates, Titles, Interests, Debts, Charges, and Incumbrances, bee; And, the same are hereby Declared; as well to Sureties, as Principalls, discharged, and made null, and void. Provyded, also; That all & everie the Debts, Charges, and Incumbrances, upon and everie the Estate & Estates aforesayd; Which shall bee so allowed, shall bee payd and satisfied by such wayes, and in such manner onelie, as shall bee hereafter Declared, and Appoynted, By His Highness, The LORD PROTECTOR, by and with the Consent of His Councill.

And, It is further Ordayned, by the Authoritie aforesayd; That Lands of the clear yearlie value of four hundreth pounds Sterling; over and above all Charges, and Reprises, bee settled upon the Ladie *Anne Hamilton*, Eldest Daughter of the sayd *James*, Duke *Hamilton*, and her Heirs, charged with the payment of the yearlie Rent of twentie pounds Sterling, To His Highness, The LORD PROTECTOR, and His Successors, for ever. And, That Lands of the yearlie value of two hundreth pounds Sterling; over & above all Charges, and Reprises, bee settled upon the Ladie *Susan Hamilton*; one other of the Daughters of the said *James*, Duke *Hamilton*,

Hamilton, and her Heirs, out of the Estate of the sayd *James* and
William, late Duke *Hamilton*, charged with the payment of the
 yearly Rent of ten pounds Sterling, To His Highness, The LORD
 PROTECTOR, and His Successors for ever. And, That Lands of
 the yearlie value of four hundred pounds Sterling; over & above
 all Charges, and Reprises, bee settled upon ELIZABETH Dutches
 of *Hamilton* Widow, and Relict of *William* late Duke *Hamilton*,
 deceased, for term of her naturall lyf; and after her decease, to
 the four Daughters of the sayd *William* by the sayd Dutches, to
 bee equallie divyded amongst them, and to their Heirs, for ever,
 out of the Estate of the said *William*, or of *James*, late Duke *Hamil-*
ton, charged with the payment of the yearlie Rent of twentie
 pounds Sterling, To His Highness, The LORD PROTECTOR,
 and His Successors, for ever. And, That Lands of the clear year-
 lie value of four hundred pounds Sterling; over and above all
 Charges, and Reprises, bee lykewyse settled out of the Estate of
 the sayd *John*, Earl *Crawford*, upon Countess of
Crawford, his now Wyff, for her lyff; and after her decease, upon
 the Issue of her bodie, by the sayd Earl begotten, and their Heirs,
 charged with the payment of the yearlie Rent of twentie pounds
 Sterling, To His Highness, The LORD PROTECTOR, and His
 Successors, for ever. And, That Lands of the clear yearlie value
 of four hundred pounds Sterling; over, and above, all Charges,
 and Reprises, bee settled upon Countess of *Low-*
down, and her Heirs, for ever, out of the Estate of the sayd *John*,
 Earl of *Lowdown*, charged with the payment of the yearlie Rent
 of twentie pounds Sterling, To His Highness, The LORD
 PROTECTOR, and His Successors, for ever. Shee, the sayd
 Countess of *Lowdown*, excepting therof, in lieu of all joynture, Do-
 wer, or anie other Interest, or Title, shee hath, or may, claim, in
 Possession, Reversion, or Remainder of, in, or to the Estate of the
 sayd *John*, Earl of *Lowdown*, or Lord *Machlin*, or
 of either of them, or by them, or either of them, Claimed in
 Right of the sayd Countess, and Releassing the same, by the tyme
 hereafter, in this Ordinance appoynted; and in such manner as is
 herein directed: Which Releass shall bee good and effectuell in
 Law, to Barre the sayd Countess of *Lowdown*, and
 her Heirs E And, Bee

And, Bee it further Ordayned, That the Countess of *Calender*, shall hold and enjoy all and everie the Lands, Tenements, and Hereditaments, conveyed for her Ioynture, from late Earl of *Dumfermling*, her former Husband. And, That Lands of the clear yearlie value of two hundreth pounds Sterling; over and above all Charges, and Reprises, bee settled upon *Mary*, Eldest Daughter of Earl *Marshall*, and her Heirs. And, That Lands of the yearlie value of one hundreth and fiftie pounds Sterling; over and above all Charges and Reprises, bee settled on each of the other Daughters of the sayd Earl *Marshall*: To wit, *Elizabeth*, *Isabell*, and *Jane*, and their Heirs respectively, out of the Estate of the sayd Earl *Marshall*, excepted as aforesayd, charged with the payment of the yearlie Rent of thirtie two pounds, ten shillings, Sterling, Unto His Highness, The Lord Protector, and His Successors, for ever; to bee apportioned in the Grants of the respective Lands rateable. And, That Lands of the clear yearlie value of three hundreth pounds Sterling; over & above all Reprises, be settled upon Countess of *Lowderdaile*; and the Heirs of the Bodie of *John*, Earl of *Lowderdaile*, of the Bodie of the sayd Countess begotten, or to bee begotten, out of the Lands & Estate of the sayd *John*, Earl of *Lowderdaile*, excepted as aforesayd, charged with the payment of the yearlie Rent of fifteen pounds Sterling, To His Highness, The Lord Protector, and His Successors, For ever. And, That Lands of the clear yearlie value of two hundreth pounds Sterling; over and above all Reprises, bee settled upon the now Wyff of the sayd Lord *Cranston*, and the Heirs of the Bodie of the sayd Lord *Cranston*, of the Bodie of his sayd Wyff begotten, or to bee begotten, out of the Lands & Estates of the sayd Lord *Cranston*, excepted as aforesayd, charged with the payment of the yearlie Rent of ten pounds Sterling, Unto His Highness, The Lord Protector, and His Successors, For ever. And, That Lands of the clear yearly value of two hundreth & fifty pounds Sterling; over & above all Reprises, bee settled upon the now Wyff of Lord *Barganie*, and the Heirs of the Bodie of the sayd Lord *Barganie*, on the Bodie of his sayd now Wyff begotten, or

gotten, or to bee begotten, out of the Lands and Estate of the sayd

Lord *Barganie*, excepted as aforesayd, charged with the payment of the yearlie Rent of twelve pounds, and ten shillings, Sterling money, Unto His Highness, The *Lord Protector*, and His Successors, For ever. And, That Lands of the clear yearlie value of one hundreth and twentie pounds Sterling; over and above all Reprises, bee settled upon the now Wyff of the sayd Sir *Thomas Thompson*, & the Heirs of the sayd Sir *Thomas Thompson*, of the Bodie of his sayd now Wyff begotten, or to bee begotten, out of the Estate of the sayd *Thomas Thompson*; Excepted, as aforesayd, charged with the yearlie Rent of six pounds, to bee payd unto His Highness, The *Lord Protector*, and His Successors, For ever: Provyded, That before anie such settlement, shall bee made unto anie the Persons above mentioned, out of the Lands excepted by this Ordinance; or that anie of the sayd Persons shall bee permitted to enjoy anie Benefit, by the Clauses aforesayd, all and everie the sayd Person and Persons, being the now Wyff, Child, or Children, of any the Persons excepted, and excluded, from the Benefit of this Ordinance, shall before the five and twentieth day of *December*; which shall bee in the year of our LORD, One thousand, six hundreth, fiftie four, by Deed, under her, or their Hands and Seals, Respectivelie, Release all her and their Claim, Title, and Demand of Dower, Ioynture; and other Interest in Possession, Reversion, or Remainder, of, in, or to all and everie the Lands, Tenements, and Hereditaments, of the Husband or Father of such person Releassing: And, That all and everie such Release, being attested under the Hands of two Credible Witnesses, and delyvered unto the Persons before in this Ordinance appoynted to receave and determine Claims; or anie three of them, shall bee, and is, and are hereby Declared, to bee valid, and effectuell in Law, to Barre such Person and Persons, so Releassing, from Claiming anie Right, Title, Interest, or Demand, of, in, or to all and everie the Lands, Tenements, and Hereditaments, of the Husband or Father of such Person or Persons Releassing notwithstanding the Coverture, Minoritie, Infancie, or other Disabilitie, of the Person or Persons, so Releassing, other then such as shall bee settled upon her, or them, in Pursuance of the

Provision aforesayd. And, In default of such Release, To bee made as aforesayd, All and everie the Person and Persons aforesayd, so making default, shall bee from thenceforth, for ever, Debarred, and Excluded, from anie Benefit, or Advantage, by this Ordinance, or anie thing therein containd.

Provyded, also; That all and everie the Lands and Estate which shall by force of this O R D I N A N C E, bee set out, and settled, as aforesayd; For the Provision of the Wyff, or Children, of anie the Persons excepted, as aforesayd; Shall nevertheless bee lyable unto the satisfaction of the just and proper Debts or the Respective Person and Persons, out of whose Estate the same is so settled (in case all the rest of his or their Respective Estate & Estates shall not bee sufficient to satisfie the sayd Respective Debts,) so farre forth, and in such manner, as shall bee hereafter Declared, and appoynted, by His Highness, The Lord Protector, by and with the consent of His Councill.

Provyded, also; And it is further Ordayned, That the severall Persons hereafter named, Do pay unto His Highness, The Lord Protector, His Publique Receipt, the severall Respective summes of money hereafter mentioned and expressed; as a Fyne and Fynes, For and in respect of His and their Estate and Estates, to bee payd in such manner, and at such tymes, as is hereafter in this O R D I N A N C E expressed: T H A T is to say, *David Lesley*, Late Lieutenant-Generall of the *Scottish Armie*, Four thousands pounds Sterling.

Marquess of Dowglass, One thousand pounds Sterling. *Lord Angus*, Eldest sonne to the Marquess of *Dowglass*, one thousand pounds Sterling. *Earl of Selkirk*, one thousand pounds Sterling. The Heir of *Francis*, late Earl of *Buclough* deceased, Fifteen thousand pounds Sterling.

Earl of Galloway, Four thousand pounds Sterling. *William*, Earl of *Roxburgh*, six thousand pounds Sterling. *William*, Lord *Cockeram*, Fyve thousand pounds Sterling. *James*, Lord *Forrester*, Two thousand, Fyve hundreth pounds Sterling.

Philip Amstruther, sonne of *Sir Robert Amstruther*, One thousand Merks, Sterling. *Sir Archibald Sterling*, of *Carden*, one thousand five hundreth pounds, Sterling. *James Drummond*, of *Mackensy*, Fyve hundreth pounds, Sterling. *Henry Mawll*, sonne to the Earl of *Pan-*

of *Panmure*, Two thousand fyve hundreth pounds, Sterling. Sir
James Levingston, of *Kilsyth*, one thousand five hundreth pounds
Sterling. *William Murray*, of *Polemaise*, one thousand five hun-
dred pounds, Sterling. Earl of *Buchan*, one thou-
sand pounds, Sterling. Viscount *Dudope*, one thou-
sand, five hundreth pounds Sterling. *Preston* of *Craig-*
mill, one thousand, five hundreth pounds, Sterling. Sir *Andrew*
Flesher, of *Inner-Pether*, Fyve thousand pounds Sterling. Sir *John*
Wanchab of *Netherie*, two thousand pounds Sterling.
Earl of *Perth*, and Lord *Drummond*, his eldest sonne, Fyve thou-
sand pounds, Sterling. Earl of *Winton*, Two thou-
sand pounds, Sterling. Earl of *Findlater*, one thou-
sand five hundreth pounds, Sterling. Earl of *Murray*,
Three thousand five hundreth pounds Sterling. Earl
of *Quinsburgh*, Four thousand pounds, Sterling. Earl of
Eithie, six thousand pounds, Sterling. Lord *Duffus*,
one thousand five hundreth pounds, Sterling. Lord
Grey, one thousand five hundreth pounds Sterling. Sir *Henry Nis-*
bit, one thousand pounds, Sterling. Earl of *Panmure*,
ten thousand pounds, Sterling. Laird of *Lundee*, One thousand
pounds, Sterling. Earl of *Arroll*, Two thousand pounds
Sterling. Earl of *Tullibardine*, One thousand five hun-
dred pounds, Sterling. Earl of *Southesk*, Three thou-
sand pounds Sterling. Earl of *Dalhousie*, one thousand
five hundreth pounds Sterling. Earl of *Hartfield*, two
thousand pounds Sterling. *William*, Lord *Ross*, Three thousand
pounds Sterling. Lord *Sample*, One thousand pounds
Sterling. Lord *Elphinston*, One thousand pounds ster-
ling. Lord *Boyd*, one thousand five hundreth pounds
Sterling. *James*, Lord *Cooper*, Three thousand pounds Sterling.
Lord *Balvaird*, One thousand five hundreth pounds
Sterling. Lord *Rollock*, one thousand pounds ster-
ling. Earl of *Kinghorn*, one thousand pounds Sterling.
Earl of *Kinkardine*, One thousand pounds, Ster-
ling. Lord *Bamff*, one thousand pounds Sterling. Ma-
ster *Robert Meldrum* of *Tillybody*, One thousand pounds, Sterling.
Sir *Robert Graham* of *Morphie*, One thousand pounds, Sterling.

Sir William Scot of Harden, Threethousand pounds sterl:
 Hay of Nachton, one thousand pounds sterling.
 Ranton of Lamberton, one thousand pounds sterling. *Col-*
 guboun of Lnz, Two thousand pounds sterling. *Hamil-*
 son of Preston, One thousand pounds sterling. Master Francis Hay
 of Bowly, Two thousand pounds sterling. *Arnot of*
Ferney, Two thousand pounds sterling. Sir Robert Forquhar, One
 thousand pounds sterling. Sir Francis Reven, Three thousand
 pounds sterling. Scot of Montross, Three thousand
 pounds sterling. Laird of Rothemay-Gordon, Fyve hun-
 dreth pounds sterling. Colerney, the younger; One
 thousand pounds sterling. Sir John Scot of Scots-Tarbut, One thou-
 sand, Fyve hundreth pounds sterling. Laird of Gos-
 ford, Onethousand pounds sterling. Laird of Bachilton,
 One thousand, Fyve hundreth pounds sterling. James Mercer of
 Aldey, One thousand pounds sterling. Earl Rothes, One
 thousand pounds sterling. Lieutenent Collonell Elliot of Stebbs,
 One thousand pounds sterling. Sir Lewis Stuart, Advocate; One
 thousand pounds sterling. Patrick Scot of Thirlestone, Two thou-
 sand pounds sterling. Sir James Carmeghill, Two thousand pounds
 sterling. Sir Patrick Cockburn of Crankington, Two thousand pounds
 sterling. Sir George Morison of Preston-Grange, Two thousand
 pounds sterling. Murray, Laird of Stanhop, sonne to
 Sir David Murray deceased; Two thousand pounds sterling.

All and every which summe and summes of Money, shall bee
 payd unto George Bilton, Deputie Treasurer at Leith, one moyetie
 thereof, on, or by the second day of August; One thousand, six
 hundreth, fiftie four. And, The other moyetie, on, or by the se-
 cond day of December; Then next ensuing. And, In default of
 such payment, All and everie the Reall and Personall Estate of eve-
 rie Person and Persons, so making default, shall from thenceforth
 bee absoluteh confiscate: And, The Commissioners, For Seque-
 strations, are hereby impowered to seiz the same accordingly.

Provyde, alwayes; And, It is Ordayned, and Declared, By the
 Authorited aforesayd; T H A T This Ordinance, or any thing
 therein contayned, shall not extend, or bee construed to extend to
 the restoring or reviving of any Lordship, Dominion, Iurisdiction,
 Tenure, Sup

Tenure, Superioritie, or any thing whatsoever, taken away, and abolished, by one other Ordinance; Entituled, *An Ordinance, for Uniting SCOTLAND, Into one Common-wealth with ENGLAND.*

Excepted, and also reserved out of this present Ordinance, and all Benefits thereof; All and every one Person and Persons, not herein before named, or expressed; That hath, or have been at any tyme since the first day of *May*, One thousand, six hundred, fiftie and two; or now is, or are in Arms in *Scotland*, in opposition to this Common-wealth; Saving and Reserving, To all Person and Persons whatsoever, excepted out of this Ordinance, all Benefits and Advantages of any Articles of Warre, to them granted by His Highness, the now *Lord Protector*; As Generall of all the Forces of this Common-wealth, or any other, by Vertue of any Authoritie from Him deryved, any thing in this Ordinance containd to the contrarie thereof in anie wyse notwithstanding.

Provyded, alwayes; And, Bee it further Ordayned; That this Ordinance, or anie thing therein containd, shall not extend, nor be construed to extend, to the Freeing or discharging of anie Prison, or Prisoners of Warre, From their Respective Imprisonments, or to the Cancelling, or discharging of anie Suretie, Bond, Paroll, or Engagement, of, or for any Prisoner at Warre, without the speciall Order of His Highness, The *Lord Protector*, or whom Hee shall appoynt.

Provyded, also; That this Ordinance, or anie thing therein containd, shall not extend, nor bee construed to extend to the confirming of anie Patent, Gift, or Grant, made by the late king *James*, or the late king *Charles*; whereby anie Rent, or other Ductie or Revenue belonging to the Crown of *Scotland*, hath, contrarie to the Law of *Scotland*, been altered, changed, converted, or diminished; But that all and everie such Rent, Ductie, and Revenue, shall remain & be payd in kynd, unto the *Lord Protector*, & His Successors, in the same manner, as the same were payd before anie such Patent, Gift, or Grant, made.

Wednesday, Aprill 12, 1654.

Ordered by His Highness, The *Lord Protector*, and His Council; That this Ordinance bee forthwith Printed, and Published.

Henry Scobell, Clerk of the Council.

BY THE COMMANDER
IN CHIEF

Of all the FORCES in
SCOTLAND.

THE Common-wealth of ENGLAND, Having used all Means of Tenderneſs, and Affection, towards the People of this Nation; by receaving them (after a Chargeable and Bloodie Warre) into Union with ENGLAND, and Inveſting the with all the Liberties and Priviledges thereof (purchased at the Expenſe of ſo much Blood and Treafure) and by daylie Proteſting them with their Armes and Navie; at a great Charge (of which this Nation under-goeth no more than their equall Proportion with ENGLAND) againſt their Enemies both Abroad; and at Home; whereby all of them might enjoy the Fruits and Benefits of P E A C E. Yet divers lewd perſons, broken in their Fortunes, and diſſolute in their Lives, are runne into Rebellion; who being aſſiſted & connived at by their Parents, Brethren, Tutors, Maſters, and People amongſt whom they live, who ſecretlie conceal them in their houſes, in the day tyme, and in the night ſuffer them to Rob and Plunder the Countrey: Whereby the Peaceable People of this Nation, are many of them ruined; & the reſt diſturbed; So that they can not live in Peace. **A N D**, To to the end that no Peaceable means might bee left unattempted. For the Prevention thereof, I, by vertue of the Authotitie, ſo me given, by His Highneſs, and His Council; Do Declare, That all ſuch Perſons that are now in Rebellion, (except ſuch as are excepted in the Acts of Grace) who ſhall within twentie dayes after the Publication hereof, come in, & ſubmit him or themſelves, to the Governour of the next ENGLISH Garrifon; and give good ſecuritie for his or their future Peaceable living, ſhall bee, and

and is hereby in his and their Persons, Freely Pardoned, for any Offence, Spoyll, or Plunders, committed by him, or them, in this present Rebellion, (the killing of any person, in cold blood, only excepted.) And I do Declare; That if any Parents, Brethren, or Tutors, who have assisted or connived at any their Sonnes, Brothers, or Pupils, now in Rebellion, as aforesayd, shall within twenty dayes after Publication hereof, Cause their sayd Sonnes, Brothers, or Pupils, to render themselves; and give Securitie, as aforesayd: That then the sayd Parents, Brethren, and Tutors, who have so offended, are hereby Freely Pardoned. But if otherwyse, then the sayd Parents, Brethren, and Tutors; who have so offended, shall bee imprisoned during the tyme the sayd Persons, do remain in Rebellion. And, In regard divers Persons, who are now in Rebellion; and who have lived remote from their Friends; but could not probablie break out into Rebellion; without the knowledge, or consent, of some of the Inhabitants of that Parish, or Presbyterie, where hee, or they, last lived, before their breaking forth: I do, therefore, hereby Declare; That if the sayd Parish, or Presbyterie, where hee, or they, last lived, procure the sayd person, or persons, so broken forth, to render him, or themselves, within twenty dayes after Publication hereof, and give Securitie, as aforesayd; That then the sayd Parish, or Presbyterie, so offending, is hereby pardoned: But, If otherwyse, I do hereby impose upon the sayd Parish, or Presbyterie, Two shillings, six pence, a-day, for each Horse-man; and Ten-pence, a-day, for each Foot-man, so broken into Rebellion; over and above their Ordinarie Sess, out of the sayd Parish, or Presbyterie; which the Governor of the next *English* Garrison, is hereby authorized, to levie & receive monthly; during the tyme the said persons shal so continue in Rebellion. And, I do, likewise, hereby empower all the good People of this Nation, to apprehend all such person & persons, as are; or hereafter shall break out into Rebellion, or attempt so to do; and safely to deliver him or them, to the Governor of the next *English* Garrison. And, in case of resistance, to take such weapons as they can get; and to fight the sayd person or persons. And if they shall kill any of the sayd persons, so resisting, they shall not bee questioned for the same: But (on the contrary) shal receive, as a

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Reward

Reward of their good service, all such Moneys, Goods, Horses, and Cloaths, as the said Rebellious Persons are then possessed of, besides full satisfaction for their pains & travel therein. And in regard this present Rebellion hath been principally contrived, fomented, & is now obstinately maintained by Major General *Middleton*, the Earl of *Atholl*, the Earl of *Seaforth*, Viscount *Kenmure*, *Glengarie*, & Major General *Dayel*; I do hereby, therefore, Declare, That what person or persons soever of this Nation (except such as are before excepted) shall kill anie of the said principal Contrivers, or shal deliver anie of them prisoner, to any Governor of any *English* Garrison, the said person or persons so killing, or bringing prisoner, as aforesaid, shall not only bee pardoned for any thing hee or they have acted in this late Rebellion; but also shal receive as a Reward of his good service, the sum of Two hundred pounds sterling, for every person so kill'd or brought prisoner, as aforesaid. And lastlie, For the encouragement of all Peaceable and Well-affected People, both *English* and *Scots*; I do, also, hereby Declare, That what damage shall bee done to their persons, Goods or Geer, for their good affection to the Publique, the same shall bee agayn repaired out of the Estates of such as have done the damage, or out of the Estates of the Friends and Harbourers of such Wrong-doers; or out of the Parish, Presbyteries, or Shyre, where the Wrong is done; In case they do not apprehend the sayd Offendors, or give THE ENGLISH FORCES such tymelie Notice thereof; That the sayd Offendors may bee apprehended by them. And, I do hereby require all Provosts, Bayliffs, and Chieff Officers of Head-Burghs, in their severall Burghs; To cause these Presents to bee duellie Published and Posted up, According to the usuall Form; And, To certifie their doings therein to mee, in wryting, under his or their hands.

Given under my Hand, at Dalkeith,

This 4 day of May, 1645.

GEORGE MONCK.

AN ORDINANCE,
For Erecting COURTS BARON in
SCOTLAND.

Be it Declared, Established,
and Ordayned, By His Highnesse,
THE LORD PROTECTOR, By
and with the Advice and Consent of His
Councill, That in everie Place or Circuit of Land
which Reallie is, or hath commonlie been called,
known or reputed to bee a Mannor, within the Nation of SCOT-
LAND, There shall bee one Court, which shall bee in the Nature of
a Court Baron, or Court of a Mannor here in ENGLAND, to
bee holden everie three weeks: Which Court shall have power,
order, and jurisdiction of all Contracts, Debts, Promises, and
Trespases, whatsoever arising within the sayd Mannor, or Pre-
cincts thereof: Provyded, That the Matter in Demand exceed
not the value of fourtie shillings Sterling; And that in anie Action
of Trespas, the Freehold, or Title of the Land bee not drawn
into question. And, It is further Declared and Ordayned, That
everie the sayd Court Baron, shall bee held in manner following:
That is to say; THE Syle of the Court shall bee, THE Court
of A. B. held the day of one thousand, six hun-
dredth, by K. D. C. Sutors of the sayd Court,
and the Homage or Sutors, to bee named in the Entrie; Then,
after three Oyes made, the Sutors, or their Clerk, or Steward,
shall say; If anie will bee affoigned, or enter anie Plaint, let them
come in, and they shall bee heard. Then the Jurie are to bee im-
panelled, and sworn. And then a short Charge is to bee given,
G 2 Concerning

Concerning the severall matters and things, to bee done there. And after, Presentment, and Enquirie made: The Sutors shall proceed in the severall matters presented; And give Order and Relieff, as the Case shall require, and make Execution, by Attachment, upon the Goods of the Partie within that Mannor.

And, It is hereby further Declared, and Ordained, That the Sutors in everie the sayd Court Baron may from tyme to tyme, as there shall bee occasion, make By-lawes, for the Publique Weall, Rule & Government of the persons within such Mannor. And, All and everie such By-law, shall bee bynding to everie partie within the Mannor. And, The sayd Sutors shall have Power and Authoritie, To Amerce such persons as infringe anie of the sayd By-lawes; and may give Warrant to the Bayliff of the Mannor, To Distrein for such Amercement, by Attachment, upon the Goods of the Partie offending. Provdyed, That such By-lawes bee not extended to bynd the Inheritance of anie person, who is not partie to the same, and agreeth not therunto.

Wednesday, Aprill 12. 1654.

Ordere*d*, By His Highness, The Lord Protector,
And His Councill, That this Ordinance bee forth-
with Printed, and Published.

Henry Scobell, Clerk of the Councill.

Printed at London, and re-printed

AT ABERDENE, 1654.





